

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION 00-60029-01

VERSUS

JUDGE TUCKER L. MELANÇON

JOHN TIMOTHY COTTON

MAGISTRATE JUDGE HANNA

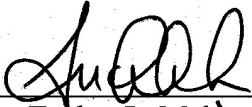
JUDGMENT

John Timothy Cotton's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence (Rec. Doc. 781) was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation, *R. 846*. After an independent review of the record, and consideration of the objections filed¹, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, it is

ORDERED that John Timothy Cotton's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Rec. Doc. 781) is **DENIED AND DISMISSED WITH PREJUDICE**.

Thus done and signed in Lafayette, Louisiana, this 21st day of March, 2011.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE

¹ In his objection, petitioner requests an evidentiary hearing and, in the alternative, that the Court "grant Summary Judgment in Petitioner's favor as a Matter of Law." As such pleadings were not included in petitioner's "28 U.S.C. § 2255 motion", they are not properly before the Court. Based on the Magistrate Judge's findings in the Report and Recommendation, however, any such pleadings would be denied.